

RESOLUTION 26-2006

A RESOLUTION AMENDING RESOLUTION 10-1996 A RESOLUTION PROVIDING FOR REORGANIZATION OF THE JEFFERSON COUNTY SOLID WASTE BOARD

WHEREAS, the Board of County Commissioners may reorganize administrative boards, districts and commissions pursuant to §7-1-201, MCA; and

WHEREAS, on January 8th, 1973, the Jefferson County Board of County Commissioners created by resolution, a solid waste refuse district encompassing all of Jefferson County and subsequently in Resolution 2-82 dated January 6, 1982, Resolution 9-82 dated March 24, 1982 and Resolution 10-96 dated January 1996, organized a board to manage the solid waste district; and

WHEREAS, the Board of County Commissioners has determined it is appropriate and desirable to provide the Solid Waste Board with clarification as the organization, membership, terms, authority, rules and responsibilities of the Solid Waste Board, setting forth the same pursuant to §7-1-201, and §7-13-214, MCA.

NOW, THEREFORE, BE IT RESOLVED as follows:

- 1) That the Solid Waste Board shall now consist of six (6) members, one (1) County Commissioner; one (1) member from each incorporated city (Whitehall and Boulder); and three (3) members to be selected from throughout the County to reflect as equal a representation as possible.
 - 2) The terms of Solid Waste Board members shall commence on the 1st day of February. The members shall serve staggered three (3) year terms on the Board so that no more than two (2) terms expire in any given year, except that the County Commissioner's term shall be at the discretion of the Board of County Commissioners.
 - 3) Pursuant to §7-1-201 (7), MCA, all citizen appointees on the Solid Waste Board shall serve at the discretion of the County Commissioners and may be removed by a majority vote of the County Commissioners.
 - 4) The Solid Waste Board shall set a regularly scheduled monthly meeting day and time and shall meet not less than six times per year. If there is no business to come before the Board, the Chair may cancel the regularly scheduled meeting at his or her discretion with at least forty-eight
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(48) hours public notice. Similarly, special meetings may be scheduled per County policy.

5) Board members shall be entitled to mileage and expenses in accordance with established state rates for attendance at Board meetings and conducting official Board business.

6) Pursuant to §7-13-215, MCA, the Solid Waste Board of Directors shall exercise powers and duties as set forth in §75-10-112, MCA, provided, however, that fees and charges must be implemented according to §7-13-231, MCA, and §7-13-232, MCA. Board decisions concerning the following actions shall not take effect until approved by the Board of Commissioners:

- a) the determination of wages and salaries to be paid to employees of the Solid Waste District;

- b) The acquisition by lease, purchase, or otherwise, and the disposition by lease, purchase or otherwise, of real property by the Solid Waste District, or operation equipment in excess of \$2,500.00, not previously approved in the budget process;

- c) Entrance into interlocal government agreements or contracts for servicing and financing.

7) The Solid Waste Board shall elect officers and may adopt by-laws as long as they do not conflict with county policies and procedures.

8) The County Commission, or its agent(s) shall conduct all union negotiations on behalf of the County.

9) The Solid Waste Board may, upon approval of the County Commission, employ a secretary to the board, a manager and such other employees or contract for such other services as required for the discharge of the duties and responsibilities listed above or specified in Montana State Statute. The Solid Waste Board shall be responsible for the supervision of its staff and, at its discretion, may designate certain of its staff to supervise others on the staff. The County Commissioners reserve authority to hear appeals and/or overturn any decisions.

10) Solid Waste Board employees shall be subject to all personnel policies as adopted by the County Commission. Additional policies may be adopted by the Solid Waste Board specific to its operation, provided they do not conflict with those in effect for the entire County.

11) The Solid Waste Board shall prepare and administer a budget for the Solid Waste District by no budget shall be considered final unless it has been adopted by the Board of Commissioners after public hearing and budget adoption.

12) The Solid Waste Board shall provide to the Board of County Commissioners a register of

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membership with addresses and phone numbers, including a designation of officers, and dates, times and places of regularly scheduled meetings. The chair shall assure that, no less than forty-eight (48) hours prior to each meeting, an agenda has been posted at each designated public posting place within the County. Minutes of each meeting shall be filed with the Clerk and Recorder.

13) All purchases of equipment or services or sale of equipment or services by the Jefferson County Solid Waste District in excess of \$50,000.00 shall be by competitive bid.

DATED this 12th day of September, 2006.

ATTEST:

**BONNIE RAMEY
CLERK AND RECORDER**

TOMAS E. LYTHGOE, CHAIR

CHUCK NOTBOHM, COMMISSIONER

KEN WEBER, COMMISSIONER